S.B. CIVIL WRIT PETITION NO.3566/2005

State of Rajasthan and others

vs.

Jasveer Singh and others.

Date : 7.7.2005

HON'BLE MR. PRAKASH TATIA, J.

Mr. Rameshwar Dave, Dy.GA, for the petitioners.

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Heard learned counsel for the petitioners.

The petitioners are aggrieved against the order dated 28.3.2005 by which the trial court passed an ad-interim order under Order 39 Rules 1 and 2 CPC.

It appears that the application filed under Order 39 Rules 1 and 2 CPC has not been decided by the trial court.

The grievance of the petitioners is that the matter is important relating to the irrigation facility, therefore, the trial court should not have passed such order and the trial court further committed illegality in not considering the reply of the petitioners.

In view of the facts of the case, this writ petition is not entertained and is hereby dismissed. However, the trial court is directed to decide the injunction application expeditiously as the interim order was passed as back as on

28.3.2005 and the matter is relating to the irrigation facility and more than three months have already passed. The trial court will decide the injunction application expeditiously as far as possible within a period of one month from the date of receipt of copy of this order.

(PRAKASH TATIA), J.

S.Phophaliya